

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA

FILED

JUN 12 2024

BONNIE HACKLER  
Clerk, U.S. District Court

By \_\_\_\_\_  
Deputy Clerk

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

Case No.

TIMOTHY KENNETH BARBER,

*Defendant.*

**24 CR 086 JFH**

INDICTMENT

The Federal Grand Jury charges:

COUNT ONE

**MURDER IN INDIAN COUNTRY – SECOND DEGREE**

**[18 U.S.C. §§ 1111(a), 1151, & 1153]**

On or about December 20, 2023, within the Eastern District of Oklahoma, in Indian country, the defendant, **TIMOTHY KENNETH BARBER**, an Indian, with malice aforethought, did unlawfully kill Victim, in violation of Title 18, United States Code, Sections 1111(a), 1151, and 1153.

COUNT TWO

**USE, CARRY, BRANDISH AND DISCHARGE A FIREARM  
DURING AND IN RELATION TO A CRIME OF VIOLENCE**

**[18 U.S.C. §§ 924(c)(1)(A)(i), (ii), & (iii)]**

On or about December 20, 2023, within the Eastern District of Oklahoma, the defendant, **TIMOTHY KENNETH BARBER**, did knowingly use, carry, brandish, and discharge a firearm during and in relation to a crime of violence, that is, Murder in Indian Country – Second Degree,

as alleged in Count One of this Indictment, for which he may be prosecuted in a court of the United States, in violation of Title 18, United States Code, Sections 924(c)(1)(A)(i), (ii), and (iii).

**COUNT THREE**

**CAUSING THE DEATH OF A PERSON IN THE COURSE OF A VIOLATION OF  
TITLE 18, UNITED STATES CODE, SECTION 924(c)  
[18 U.S.C. §§ 924(j)(1)]**

On or about December 20, 2023, in the Eastern District of Oklahoma, the defendant, **TIMOTHY KENNETH BARBER**, did knowingly use, carry, brandish, and discharge a firearm, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, Murder in Indian Country – Second Degree, as charged in Count One of this Indictment and in the course of this violation caused the death of a person through the use of said firearm, which killing is a murder, as defined in Title 18, United States Code, Section 1111(a), in that the defendant, **TIMOTHY KENNETH BARBER**, did murder and unlawfully kill Victim with a firearm, in violation of Title 18, United States Code, Section 924(j)(1).

**COUNT FOUR**

**FELON IN POSSESSION OF AMMUNITION  
[18 U.S.C. §§ 922(g)(1) & 924(a)(8)]**

On or about December 20, 2023, in the Eastern District of Oklahoma, the defendant, **TIMOTHY KENNETH BARBER**, having been convicted of a crime punishable by imprisonment for a term exceeding one (1) year, and knowing of such conviction, did knowingly possess in and affecting commerce, ammunition, to wit: one (1) .22 caliber shell casing of CCI ammunition, which had been shipped and transported in interstate commerce, in violation of Title 18, United States Code, Sections 922(g)(1) & 924(a)(8).

**FORFEITURE ALLEGATION**  
**[18 U.S.C. § 924(d) & 28 U.S.C. § 2461(c)]**

The allegations contained in Counts One through Four of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

Upon conviction of the violations charged in Counts One through Four of this Indictment involving violations of Title 18, United States Code, Sections 1111(a), 1151, 1153, 924(c)(1)(A)(i), (ii), and (iii), 924(j)(1), 922(g)(1), and 924(a)(8), the defendant, **TIMOTHY KENNETH BARBER**, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of the offense, including, but not limited to:

- one (1) .22 caliber bolt-action long rifle of an unknown make and model, bearing serial number 01246813; and
- one (1) .22 caliber shell casing of CCI ammunition.

A TRUE BILL:

CHRISTOPHER J. WILSON  
United States Attorney



MICHAEL E. ROBINSON, MA BAR #693574  
Assistant United States Attorney

Pursuant to the E-Government Act,  
the original indictment has been filed  
under seal in the Clerk's Office.

s / Foreperson  
FOREPERSON OF THE GRAND JURY